

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Public Service Commission  
Northern States Power Co of Minnesota  
Pipeline Safety Enforcement**

**Case No. GS-17-292**

**ORDER**

**October 18, 2017**

**Preliminary Statement**

On May 10-11, 2017, Public Service Commission Gas Pipeline Safety Inspector, Aaron Morman (Staff), conducted an inspection of Northern States Power Co of Minnesota (NSP) gas pipeline construction activities.

On July 20, 2017, the Manager of the Public Service Commission Gas Pipeline Safety Program issued a Notice of Probable Violation (NOPV).

On August 30, 2017, NSP submitted a letter in response to the NOPV.

**Discussion**

During the May 10-11, 2017 inspection, Staff observed an individual, Larry Clemen, from contractor company Q3 Contracting, Inc., performing the covered task of backfilling. Staff requested documentation from NSP to show current qualifications for this task. Documentation provided by NSP indicated that this individual's qualifications had expired and he was no longer qualified to perform this covered task.

The NOPV alleges that NSP did not ensure through evaluation that individuals performing covered tasks are qualified as required by 49 CFR § 192.455(b).

The NOPV proposes a civil penalty of \$1,000.00.

NSP stated in its August 30, 2017 response that they will not contest the allegation of probable violation, and that a check for \$1,000.00 will be sent in a separate letter.

Pursuant to 49 CFR § 190.208(a), upon NSP paying the proposed penalty and advising the Commission of the payment, NSP has admitted to the Probable Violation and authorized the Commission to make a finding of violation and issue an order.

## Order

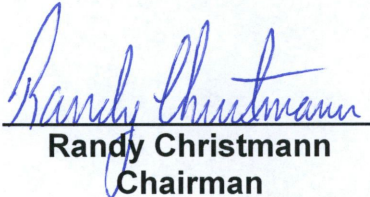
The Commission Orders:

1. NSP violated 49 CFR § 192.805(b) by failing to ensure Larry Clemen was qualified to perform the task of backfilling.
2. The Commission accepts NSP's October 12, 2017 payment of \$1,000 in full satisfaction of the civil penalty, and the Commission shall close this case.

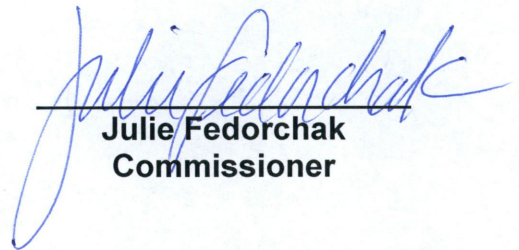
### PUBLIC SERVICE COMMISSION



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Commissioner



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**Julie Fedorchak**  
Commissioner